

THE CITY OF SAN DIEGO, CALIFORNIA MINUTES FOR REGULAR COUNCIL
MEETING OF TUESDAY, JANUARY 8, 1985 AT 9:00 A.M. IN THE COUNCIL
CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Mitchell at 10:19 a.m. The meeting was recessed by Deputy Mayor Mitchell at 10:31 a.m. to convene as the Special Joint City Council Meeting with the Redevelopment Agency. Deputy Mayor Mitchell reconvened the meeting at 11:11 a.m. with Mayor Hedgecock not present, and he immediately recessed the meeting to reconvene at 2:00 p.m.

The meeting was reconvened by Council Member Gotch at 2:08 p.m. with Mayor Hedgecock and Deputy Mayor Mitchell not present. Deputy Mayor Mitchell adjourned the meeting at 5:19 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
 - (1) Council Member Mitchell-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Gotch-present
 - (7) Council Member Murphy-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (mp a.m.; bb p.m.)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-not present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present

ITEM-330:

Rezoning a 12,700-sq. ft. site located at the southeast corner of 30th and Thorn Streets in the Park Northeast

Community Plan area, from Zone C to Zone R-1000. The subject property is further described as Lots 1-4, Block 8, Frary Heights Addition, Map-940.
(Case-84-0703. District-8.)

Subitem-A: (R-85-979) ADOPTED AS RESOLUTION R-262300

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0703 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-85-94) INTRODUCED, TO BE ADOPTED JANUARY 22, 1985

Introduction of an Ordinance for R-1000 Zoning.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A112-135.)

Hearing began at 10:28 a.m. and halted at 10:29 a.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING, ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-331:

Rezoning the Northwest Quarter of the Southeast Quarter and the East half of the Northeast Quarter of the Southeast Quarter of Section 1, Township 14 South, Range 4 West, S.B.B.M. (approximately 61.7 acres), located north of Via de la Valle between I-5 and Via del Canon in the Via de la Valle Specific Plan area, from Zone A-1-10 to Zones R1-20000 and R1-6000.
(Case-84-0412. District-1.)

Subitem-A: (R-85-980) ADOPTED AS RESOLUTION R-262301

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0412 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-85-95) INTRODUCED, TO BE ADOPTED JANUARY

22, 1985

Introduction of an Ordinance for R1-20000 and R1-6000
Zoning.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A138-155.)

Hearing began at 10:30 a.m. and halted at 10:31 a.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT THE
RESOLUTION, AND INTRODUCE THE ORDINANCE. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-not
present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,
Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-332: CONTINUED TO APRIL 9, 1985, 10:00
A.M.

Appeal of Navajo Community Planners, by Ann MacCullough,
from the decision of the Planning Commission in
approving modification of Conditional Use Permit
CUP-84-0532, which proposes to replace a cashier's booth
with a mini-market for an existing self-serve gasoline
station. The project is located at 6953 Navajo Road, in
Zone CA, in the Navajo Community Plan area, and is
further described as Lot 398, Lakeshore Unit 5,
Map-5178.
(CUP-84-0532. District-1.)

Subitem-A: (R-85-)

Adoption of a Resolution certifying that the information
contained in Environmental Negative Declaration
END-84-0532 has been completed in compliance with the
California Environmental Quality Act of 1970 and State
guidelines, and that said declaration has been reviewed
and considered by the Council.

Subitem-B: (R-85-)

Adoption of a Resolution granting the appeal and denying
the permit or denying the appeal and granting the permit
with appropriate findings to support Council action.

FILE LOCATION: PERM CUP 84-0532

COUNCIL ACTION: (Tape location: A028-111.)

MOTION BY MURPHY TO CONTINUE FOR NINETY DAYS AT ANN
MACCULLOUGH'S REQUEST PENDING THE OUTCOME OF AN OVERALL STUDY
OF MINI MARKETS WHICH IS NOW BEING ACCOMPLISHED BY DEPUTY
MAYOR MITCHELL'S OFFICE. Second by Martinez. Passed by the
following vote: Mitchell-yea, Cleator-not present,

McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea,
Martinez-yea, Mayor Hedgecock-not present.

19850108

ITEM-333: (R-85-1288) ADOPT AS AMENDED AS RESOLUTION
R-262306, GRANTING THE APPEAL

Appeal of David L. and Robin N. Wolf, by Haskins,
Nugent, Newnham, Kane and Zvetina, from the decision of
the Board of Zoning Appeals in denying the amended
request to maintain an additional 2'-3" of block wall
for a maximum 9'-10" high observing a 0'-0" front yard;
original request permitted construction of approximately
83'-0" of block wall, a maximum height of 7'-7" where a
maximum 3'-0" open fence top of a 3'-0" high retaining
wall is permitted. The subject property is located at
301 La Canada in the R1-5000 Zone and is more
particularly described as Lot 11, Block 12, La Jolla
Hermosa, Map-1810.

(Case-C-18040. District-1.)

FILE LOCATION: ZONE - Zoning Appeals Case C-18040

COUNCIL ACTION: (Tape location: C012-014 and C266-D230.)

Hearing began at 2:08 p.m. and recessed at 2:09 p.m.

Hearing resumed at 2:28 p.m. and halted at 3:09 p.m.

Testimony in opposition of appeal by George C. Anderson and
Gary Kaku.

Testimony in favor of appeal by Dr. David L. Wolf and Raymond
Zvetina.

MOTION BY CLEATOR TO CLOSE THE HEARING, 1) GRANT THE APPEAL
AND VARIANCE WITH THE CONDITION THAT THE AREA IS TO BE
LANDSCAPED OUT TO THE SIDEWALK, MAINTAINED, AND KEPT FREE OF
LITTER, AND 2) THAT THE MATTER OF THE FENCE ORDINANCE BE
REVIEWED BY THE TRANSPORTATION AND LAND USE COMMITTEE.

Second by Gotch. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor
Hedgecock-not present.

ITEM-334: (O-85-87) REFERRED TO TRANSPORTATION AND LAND USE
COMMITTEE

Matter of a proposal to amend Chapter X (Planning and
Zoning Regulations) of the San Diego Municipal Code by
amending Article 1, Division 4, Section 101.0455 (Small
Lot Overlay Zone) by removing the requirement that all

SL lots for detached dwelling units have one zero-foot side yard. Inclusion of several alternative side yard options will also be considered.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C015-265.)

Hearing began at 2:08 p.m. and halted at 2:27 p.m.

Deputy Mayor Mitchell entered at 2:19 p.m.

Testimony in favor by Charles B. Christensen.

MOTION BY MARTINEZ TO REFER TO THE TRANSPORTATION AND LAND USE COMMITTEE MEETING OF FEBRUARY 6, 1985, FOR REVIEW OF THE ORDINANCE. Second by Jones. Passed by the following vote:

Mitchell-yea, Cleator-nay, McColl-nay, Jones-yea, Struiksmay-nay, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ADDITIONAL BUSINESS NO. 1: RETURNED TO THE TRANSPORTATION AND LAND USE COMMITTEE

Subdivision Sign Ordinance is to be reviewed at the Transportation and Land Use Committee of February 6, 1985, and brought back to Council with an up-date.

COUNCIL ACTION: (Tape location: C047-182.)

MOTION BY MURPHY TO RETURN TO THE TRANSPORTATION AND LAND USE COMMITTEE. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ADDITIONAL BUSINESS NO. 2: REFERRED TO RULES COMMITTEE

Review possibility of abolishing the Committee system and bring results before Council.

COUNCIL ACTION: (Tape location: C225-260.)

MOTION BY CLEATOR TO REFER TO THE RULES COMMITTEE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

19850108

ITEM-335:

Matters of:

- 1) Proposal to introduce an ordinance approving a Specific Plan for the proposed Blackhorse Farms and Centre project.
- 2) Proposal to amend the Progress Guide and General Plan, the La Jolla Community Plan, the North City Local Coastal Program and the University Community Plan in

order to incorporate the Specific Plan, and approve authorization to transmit the Local Coastal Program amendments to the California Coastal Commission.

3) Proposal to certify Environmental Impact Report EIR-82-0383, with addendum dated November 7, 1984 and adopt Findings pursuant to the California Environmental Quality Act.

The Blackhorse Farms and Centre Specific Plan is proposed for a 24-acre inclusion area of the University of California San Diego (UCSD) campus. The project site is designated for low density residential uses (0-5 D.U./AC.), is presently zoned R-1-20 and is located in the La Jolla Farms area on the west side of North Torrey Pines Road across from the UCSD campus in the La Jolla Community Planning area. The proposed land uses include 206 multi-family dwelling units, two single-family dwelling units, and a 210 room conference center (containing two restaurants, two auditoriums, meeting rooms and accessory facilities).
(District-1.)

Subitem-A: (R-85-1133) ADOPTED AS RESOLUTION R-262307

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-82-0383 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-82-0383.

Subitem-B: (O-85-103) INTRODUCED AS AMENDED, TO BE
ADOPTED JANUARY 22, 1985

Introduction of an Ordinance approving the Specific Plan.

Subitem-C: (R-85-1134) ADOPTED AS RESOLUTION R-262308

Adoption of a Resolution approving the amendments to the community plans, the local coastal program, the general plan and authorizing transmittal of the Local Coastal Program amendments to the California Coastal Commission.

FILE LOCATION: LAND - Blackhorse Farms and Centre
Specific Plan

COUNCIL ACTION: (Tape location: D231-G258.)

Hearing began at 3:09 p.m. and halted at 5:19 p.m.

Testimony in favor of continuance by Michael Wagner, David Thompkins, Virginia Grizzle, and Littleton W. T. Waller.

Testimony in opposition of continuance by John Thelan.

Testimony in favor of project by John O'Brien, Dr. Phillip Harris, and Hwei Chin Hsiu.

Testimony in opposition of project by Nancy Ward, Robert G. Hasse, Emmanuel Svitch, David Tompkins, Michael Wagner, Bill Fell, Littleton W. T. Waller, Eltinge Brown, Mark Boroditsky, and Virginia Grizzle.

Mayor Hedgecock entered at 3:50 p.m.

Mayor Hedgecock left at 4:07 p.m.

Council Member Murphy left at 4:22 p.m.

Council Member Murphy entered at 4:25 p.m.

MOTION BY MARTINEZ TO CONTINUE HEARING TO FEBRUARY 5, 1985,

AT 2:00 TIME CERTAIN. Second by Mitchell. Failed by the following votes: Mitchell-yea, Cleator-nay, McColl-yea,

Jones-nay, Struiksmay-nay, Gotch-nay, Murphy-nay,

Martinez-yea, Mayor Hedgecock-not present.

MOTION BY MURPHY TO EXTEND THE TIME OF PUBLIC TESTIMONY TO 30 MINUTES. Second by Gotch. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

MOTION BY MARTINEZ TO CONTINUE HEARING. No second.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT SUBITEMS A AND C AND INTRODUCE SUBITEM B WITH THE FOLLOWING CHANGES UNDERLINED AS RECOMMENDED BY STAFF: 1) PROJECT CONDITION NO. 2: "THE PROVISION OF A BICYCLE LANE SHALL BE ASSURED BY THE APPLICANT, ALONG NORTH TORREY PINES ROAD IN ACCORDANCE WITH THE CIRCULATION ELEMENT OF THE UNIVERSITY COMMUNITY PLAN AND TO THE SATISFACTION OF THE PLANNING DIRECTOR AND CITY ENGINEER. THIS IMPROVEMENT SHALL BE COMPLETED NO LATER THAN JULY 1, 1987 OR PRIOR TO THE ISSUANCE OF CERTIFICATION OF OCCUPANCY FOR THE FINAL PHASE OF THE PROJECT, WHICHEVER OCCURS FIRST"; 2) CONDITION NO. 1 - (PAGE 49 OF SPECIFIC PLAN ADDENDUM, PROJECT REVIEW PROCESS) - CHANGE THE FOLLOWING SENTENCES FROM: "A PUBLIC HEARING SHALL BE REQUIRED FOR APPROVAL OF THE INDIVIDUAL COMPONENT DEVELOPMENT PLANS, HOWEVER, ONLY THE APPLICANT AND THE LA JOLLA FARMS PROPERTY OWNERS ASSOCIATION WILL HAVE THE RIGHT OF APPEAL." TO "A PUBLIC HEARING SHALL BE REQUIRED FOR APPROVAL OF THE INDIVIDUAL COMPONENT DEVELOPMENT PLANS IN ACCORDANCE WITH THE PUBLIC HEARING AND APPEAL PROCEDURES CONTAINED IN THE PLANNED

RESIDENTIAL DEVELOPMENT REGULATIONS AND PLANNED COMMERCIAL DEVELOPMENT REGULATIONS, AS APPROPRIATE"; AND 3) CONDITION NO. 2 (PAGE 58 OF THE SPECIFIC PLAN, PROVISION OF PUBLIC FACILITIES) "THE PROVISION OF A BICYCLE LANE SHALL BE ASSURED BY THE APPLICANT, ALONG NORTH TORREY PINES ROAD, IN ACCORDANCE WITH THE CIRCULATION ELEMENT OF THE UNIVERSITY COMMUNITY PLAN AND TO THE SATISFACTION OF THE CITY ENGINEER;" 4) DELETION OF THE SIX LANE NORTH TORREY PINES STREET AMENDMENT NOT BE MADE AT THIS TIME BUT DELAYED UNTIL THE UNIVERSITY TRAFFIC STUDY IS COMPLETED; AND 5) THAT THERE BE NO OPPOSITION MADE BY THE DEVELOPERS ON ANY FUTURE ASSESSMENT DISTRICTS FOR ROAD WIDENING AND IMPROVEMENTS IN NORTH TORREY PINES, IF NECESSARY.

Second by Murphy. Passed by the following vote:

Mitchell-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-nay, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-UC-2: (R-85-1235) ADOPTED AS RESOLUTION R-262305

A Resolution presented to the City Council with
UNANIMOUS CONSENT:

Authorizing the City Manager to pay the sum of \$776,211 in settlement of all claims against the City of San Diego, its agents and employees (Superior Court Case No. 449150, Diane Kay Sansted, et al. v. City of San Diego, et al.) resulting from personal injuries alleged to have been sustained by Diane Kay Sansted, LaVerne Sansted and Marion Sansted, and any and all alleged losses sustained by Diane Kay Sansted, Laverne Sansted and Marion Sansted as a result of said incident; authorizing the City Auditor and Comptroller to issue one check in the amount of \$383,211 made payable to the "Executive Life Insurance Co." for the purchase of an annuity for Diane Kay Sansted, one warrant check in the amount of \$13,500 made payable to "LaVerne Sansted, Marion Sansted and their attorneys of record, Breidenbach, Swainston, Yokaitis and Crispo," and one warrant check in the amount of \$379,500 made payable to the "County Clerk in trust for Diane Kay Sansted, a minor," in full and final settlement of all claims and complaints.

Aud. Cert. 85609, 85610, & 85611.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A015-027.)

MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-nay, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea,
Martinez-yea, Mayor Hedgecock-not present.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Mitchell at
5:19 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G259).